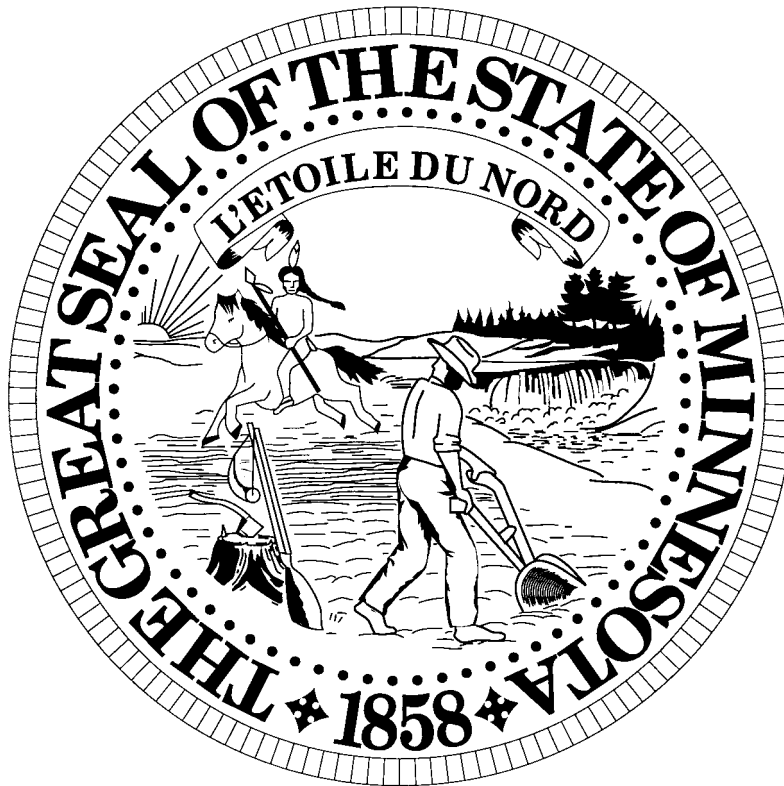


Minnesota

State Register

Rules and Official Notices Edition



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State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

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- appointments
- proclamations and commendations
- commissioners' orders
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Vol. 28 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner s Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#2	Monday 14 July	Noon Tuesday 8 July	Noon Wednesday 2 July
#3	Monday 21 July	Noon Tuesday 15 July	Noon Wednesday 9 July
#4	Monday 28 July	Noon Tuesday 22 July	Noon Wednesday 16 July
#5	Monday 4 August	Noon Tuesday 29 July	Noon Wednesday 23 July

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Commodity, Service and Construction Contracts are published
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Award results are available from the Materials Management Helpline
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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Volume 28, Issues #1-2

Natural Resources Department

6232.0900; .1000; .2550; .2900; .3600; .4100

(adopted expedited emergency)..... 0000

6232.1100s.5 (repealed expedited emergency) 0000

6264.0300; .0400 (adopted exempt) 0000

6264.0300s. 12, 19, 20, 28, 29, 30 (repealed exempt) 0000

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* § 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can only be used where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning or effect the rules.

These exempt rules are also reviewed for form by the Revisor or Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years from the date of publication of the rule in the *State Register*. Rules adopted, amended or repealed under clause (3) or (4) are effective upon publication in the *State Register*.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Natural Resources

Division of Fisheries

Adopted Exempt Permanent Rules Relating to Designated Experimental and Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, sections 97C.001 and 97C.005.

Dated: June 30, 2003

Gene Merriam
Commissioner of Natural Resources

6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subps 1 to 31, see M.R.]

[For text of subp 32, see 26 SR 1141]

[For text of subps 33 to 49, see M.R.]

Subp. 50. **Green Lake experimental regulations.** All northern pike in possession while on or fishing in Green Lake must be less than 24 inches in length. All northern pike 24 inches or greater must be immediately returned to the water. All largemouth bass and smallmouth bass in possession while on or fishing in Green Lake must be less than 14 inches in length or greater than 21 inches in length. All largemouth bass and smallmouth bass that are 14 to 21 inches in length, inclusive, must be returned to the water immediately. Not more than one largemouth bass or smallmouth bass in possession may be over 21 inches in length. ~~All largemouth and smallmouth bass 14 inches or greater must be immediately returned to the water.~~

Name	Location	County	End Date
Green Lake	T.120,121, R.33,34, S. Various	Kandiyohi	3/1/2008 <u>3/1/2006</u>

[For text of subps 51 to 65, see M.R.]

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 3, see M.R.]

[For text of subp 4, see 27 SR 1636]

[For text of subps 5 to 18, see M.R.]

KEY: PROPOSED RULES SECTION – Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated all new material. **ADOPTED RULES SECTION** – Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Exempt Rules

Subp. 19. **Northern pike 24- to 36-inch protected slot limit.** All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
[For text of items A to NN, see M.R.]		
OO. North Star (including Little North Star and other unnamed connected waters)	T. 55 58,59, R.26, S.4,5,20,28, 29,32,33	Itasca

[For text of items PP to YY, see M.R.]

[For text of subps 20 to 25, see M.R.]

REPEALER. Minnesota Rules, part 6264.0300, subparts 12, 19, 20, 28, 29, and 30, are repealed.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Camp Ripley, Bear Application Procedures, Moose Zones

NOTICE IS HEREBY GIVEN that the above entitled rule has been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.091, 97B.301, 97B.305, 97B.311, 97B.405, 97B.411, and 97B.505.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that:

- 1) Camp Ripley.** Population and harvest data needed for setting quotas and limits are not available until May. Quota numbers are needed to regulate total harvest and so that applicants have the information they need to apply. Changes to application procedures are needed because the 2003 legislature authorized an application fee in statute that was formerly set in rule and because the drawing for this hunt was formerly conducted locally, but has now been converted to the electronic licensing system.
- 2) Bear licenses.** The rule expands eligible applicants for leftover licenses to include non-applicants. It is necessary because, for the first time, the total number of applicants for quota area permits (16,426) was less than the total number of permits offered (20,110). The department has been trying various rule changes for several years to increase the bear harvest and stabilize the population. Current rules only allow unsuccessful applicants to obtain remaining permits.
- 3) Moose season.** The change to the opening date for 2003 is necessary to accommodate the public who have made plans and applied for the 2003 hunt based on a Saturday, Sept. 27 opener. Last year the season opened on Saturday, Sept. 28. An error was made this year and the season was announced, application forms were printed, and applications were taken for a Saturday, Sept. 27 opener. However, the formula in permanent rule provides for an opening date of Saturday, Oct. 4 this year. This change is necessary to accommodate the public and will not make any biological difference in the management of the moose harvest. Regarding changes to moose zone boundaries, the previously existing zone boundaries resulted in uneven distribution of harvest, with harvest being overly concentrated in the more accessible portions of the old zones. The new zone boundaries add a new zone and restructure the others to make accessibility more uniform, distribute harvest more evenly, and improve

Expedited Emergency Rules

management of the population. This change was first made on a trial basis and the department has now decided to make it permanent, but the permanent rule will not be effective in time for the 2003 moose season.

Dated: June 30, 2003

Gene Merriam
Commissioner of Natural Resources

6232.0900 CAMP RIPLEY ARCHERY HUNT.

[For text of subpart 1, see M.R.]

Subp. 2. **Permit required to hunt.** Only persons possessing a valid Minnesota archery or all-season deer hunting license, an unused possession tag valid for taking a deer by archery, and a permit validated for the Camp Ripley archery hunt will be permitted to enter Camp Ripley. Permits are not transferable between individuals or hunting dates. The permit for the Camp Ripley archery hunt authorizes the permit holder to take one deer at Camp Ripley, unless otherwise authorized by the commissioner. A permit holder may not take any species other than deer at Camp Ripley.

Subp. 3. **Antlerless deer and legal bucks.** In 2003, Camp Ripley is open for the taking of antlerless deer and legal bucks. Not more than 2,475 permits shall be issued for each two-day hunting period, provided that the total number of permits issued for both hunting periods does not exceed 4,500.

6232.1000 APPLICATION PROCESS FOR CAMP RIPLEY ARCHERY HUNT.

Subpart 1. **Preference drawing.** ~~Persons with preference from the previous drawings will be issued Camp Ripley preference permits by correctly and completely filling out and submitting the preference application mailed to them by the department.~~

~~The total number of permits issued for all hunting periods may not exceed the quota. If more preference applications are received than that allotted for a single hunting period, a preference drawing will be held. Those unsuccessful in this preference drawing will be offered permits for the alternate hunting period, when available. In the event there are permits remaining after preference permits have been issued, a random drawing will be conducted from general applicants to reach the quota. Persons may not hunt in more than one hunting period. If the number of applications for Camp Ripley archery hunt permits exceeds the quota in the annual hunting regulations, a preference drawing shall be used to select permit holders. A person may enter the preference drawing by supplying the person's driver's license number, official state identification number, or 13-digit firearms safety identification number on the application. Applicants establish a preference rating based on the number of times they have applied in previous years and have not obtained a permit. The preference rating increases each year the applicant applies unsuccessfully. Persons applying for the first time have no preference. Applicants receiving a permit lose their accrued preference.~~

Subp. 2. **General drawing Group selection.** ~~This subpart applies to the Camp Ripley archery hunt general drawing.~~

~~A. All applicants without preference must enter the general drawing by submitting an application form. This form is available by sending a stamped, self-addressed, business-sized envelope to the archery hunt, or acquired at this address between 8:00 a.m. and 4:30 p.m., Monday through Friday.~~

~~B. Up to six four persons may apply as a group by submitting their individual applications in one envelope. Either all members of a group will be selected or none will be selected. The preference rating of applicants who apply as a group is based on the individual in the group with the lowest preference. All group members must apply for the same time period.~~

~~C. All general applicants will be notified of the results by mail.~~

Subp. 3. **Application requirements.** Applicants for permits must:

A. ~~personally sign the application;~~

~~B. apply for only one drawing~~ be at least 12 years of age prior to the third Thursday in October;

~~C. apply for only one of the hunting periods;~~

~~D. C. submit no more than one application per year;~~

D. apply by the Friday nearest August 17; and

E. mail or deliver the application with the pay a nonrefundable application fee of \$6 per hunter to be received on or before 4:30 p.m. on the Friday nearest August 17, at Archery Hunt, Route 4, Box 19A, Little Falls, MN 56345; and

F. pay application fees by cashier's check, money order, or personal check as provided by statute.

6232.2550 YOUTH ARCHERY HUNTS.

Subpart 1. **Requirements.** Persons participating in youth deer special hunts must be at least 12 years old and no older than 17 years by the beginning of the hunt date. Participating youth hunters must be sponsored by a nonprofit organization and must be referred by an organization prior to being issued a permit. A valid archery license and a firearms safety certificate must be obtained prior to the hunt date. All participating youth must be accompanied by at least one adult mentor who is at least 18 years of age. The accompanying adult may not hunt.

Subp. 2. **Open areas.** Youth hunt permittees may hunt in open areas and special seasons as designated by the commissioner. In

Expedited Emergency Rules

2003, the Camp Ripley game refuge is open for the taking of antlerless deer and legal bucks using legal bow and arrow October 11 and October 12. The Minnesota Deer Hunters Association is the sponsoring nonprofit organization. Group applications and party hunting are not allowed. Permittees shall be provided maps of open hunting areas and may not enter closed areas except as specifically authorized. Intensive harvest permits are not valid for Camp Ripley.

6232.2900 BEAR PERMIT PROCEDURES.

[For text of subpart 1, see M.R.]

Subp. 2. **Drawings.** Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas. Preference in the drawings will be given to applicants based upon the number of times they have correctly applied for a license in a quota area in previous years but have not been selected. Upon issuance of a quota area license, all accumulated preference will be lost. Obtaining a no-quota bear license will have no effect upon eligibility or preference in the drawings. In quota areas with fewer applicants than available licenses, the remaining available licenses may be ~~issued~~ first offered to unsuccessful applicants for other quota areas on a first-come, first-served basis. For the 2003 season, remaining available licenses shall be offered to unsuccessful applicants beginning at 12:00 noon on Monday, August 4, 2003. Any remaining available licenses not purchased by unsuccessful applicants may then be issued to any eligible person as prescribed by the commissioner on a first-come, first-served basis. To obtain a remaining available license, an eligible person must apply individually and in person at an electronic license system agent location or individually through the ELS-Internet or ELS-Telephone system. For the 2003 season, remaining available licenses shall be offered to any eligible person beginning at 12:00 p.m. on Monday, August 11, 2003. Individuals who purchase these remaining available licenses will retain their accumulated preference.

[For text of subs 3 to 7, see M.R.]

6232.3600 SEASONS AND DATES FOR TAKING MOOSE.

Moose may be taken by licensed hunters, in those years when a moose season is authorized by the commissioner, using legal firearm or legal bow and arrow within the following seasons:

[For text of items A and B, see M.R.]

C. in the Northeast Area consisting of Moose Zones 20 to 80, when opened by the commissioner, for the 16-day period beginning ~~the Saturday nearest October 4~~ September 27.

Open zones and date changes, if any, can be found in the annual hunting regulations.

6232.4100 MOOSE ZONES.

[For text of subs 1 to 18, see M.R.]

Subp. 19. **Moose Zone 20.** Moose Zone 20 consists of that portion of the state lying within the following described boundary:

Beginning at the campground on Kawishiwi Lake; thence in a southerly direction along Forest Road 354 to Hog Creek; thence downstream in a southwesterly direction along Hog Creek to Perent Lake; thence in a westerly direction through the center of Perent Lake to the outlet of the Perent River; thence in a westerly direction along the Perent River to Isabella Lake; thence in a westerly direction along the south shore of Isabella Lake to the Isabella River; thence in a westerly direction along the Isabella River to Bald Eagle Lake; thence in a northwesterly direction through the center of Bald Eagle, Gabbro and Little Gabbro Lakes to the westernmost outlet of Little Gabbro Lake; thence downstream in a northerly direction to the South Kawishiwi River; thence in a northeasterly direction along the South Kawishiwi River to the Kawishiwi River; thence in an easterly direction along the Kawishiwi River to County State-Aid Highway (CSAH) 18 (Fernberg Road), Lake County; thence in a northerly direction along CSAH 18 to Forest Trail 147 (Kekekabic Trail); thence in a northeasterly direction along Forest Trail 147 to ~~Strup Lake; thence in a southerly direction across all portages and along all streams through Strup, Wisini, Ahmakose, and Gerund Lakes to Fraser Lake; thence in an easterly direction along the north shore of Fraser Lake to the easternmost part of Fraser Lake; thence in an easterly direction across all portages and along all streams through the north end of Sagus Lake, Roe and Cap Lakes to Boulder Lake; thence in a southerly direction through the center of Boulder Lake, across the portage connecting Boulder and Adams Lake to Adams Lake; thence in a southerly direction to the south shore of Adams Lake; thence along the south shore of Adams Lake to the portage connecting Adams Lake and Beaver Lake; thence in a southwesterly direction across said portage to Beaver Lake; thence in a southwesterly and southerly direction through Beaver Lake to the southeast end of Beaver Lake; thence in a southwesterly direction along Unnamed streams, through Whiz and Bow Lakes, to Amber Lake; thence in a southeasterly direction through Amber Lake to the Kawishiwi River; thence in a northeasterly direction along the Kawishiwi River to Record Creek; thence in a southerly direction along Record Creek to the portage connecting Record Creek and Malberg Lake; thence in an easterly direction across said portage to Malberg Lake; thence in a southeasterly direction through Malberg Lake, the intersection of Forest Trail 147 and the portage to an unnamed lake in Section 29 of Township 64 North, Range 7 West; thence southeast along said portage to an unnamed lake; thence across the middle of unnamed lake to the portage to Thomas Lake; thence southeast across said portage to Thomas Lake; thence south along the west shore of Thomas Lake to the portage to Kiana Lake; thence south across said portage to Kiana~~

Expedited Emergency Rules

Lake; thence south along the east shore of Kiana Lake to the portage to Insula Lake; thence south on said portage to Insula Lake; thence south on Insula Lake (east shore) then east (north shore) to the Kawishiwi River portage; thence southeast on said portage to Kawishiwi River; thence southeast (west shore) and then northeast (south shore), including a small segment of the south shore of Alice Lake and two portages back to the Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence northeast on the Kawishiwi River along the west shore to the portage to River Lake; thence northeast across said portage to River Lake; thence northeast on River Lake (west shore) to the drainage in the Southeast Quarter of Section 14 of Township 63 North, Range 7 West; thence easterly along the south shore of said drainage to Record Lake; thence northeast on the west shore of Record Lake to the northeast corner of the lake; thence overland approximately 1,300 feet at a north-east bearing to the south shore of Malberg Lake; thence northeast then south along the south shore of Malberg Lake; thence through Koma Lake, and along the Kawishiwi River to Lake Polly; thence in a southwesterly direction through the center of Lake Polly to the Kawishiwi River; thence upstream in a southerly direction along the Kawishiwi River, through Kawasachong and Square Lakes to Kawishiwi Lake; thence in a southeasterly direction through the center of Kawishiwi Lake to the point of beginning.

[For text of subps 20 to 24, see M.R.]

Subp. 24a. **Moose Zone 26.** Moose Zone 26 consists of that portion of the state lying within the following described boundary:

Beginning where the Horse river meets the Canadian border near the southeastern tip of Crooked lake; thence southwesterly along the Horse river to Horse lake; thence along the east shore of Horse lake to the portage to Tin Can Mike lake; thence along the portage and streams connecting Tin Can Mike, Sandpit, and Range lakes to the access trail on the south shore of Range lake; thence southerly along the access trail to the Range lake access road; thence along the Range lake access road to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to County State-Aid Highway (CSAH) 116 (Echo Trail), St. Louis county; thence along CSAH 116 to CSAH 88, St. Louis county; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to CSAH 58, St. Louis county; thence along CSAH 58 to CSAH 16, Lake county (Section Thirty Road); thence along CSAH 16 to the public access on Farm lake; thence along the east shore of Farm lake to the North Kawishiwi river; thence easterly along the North Kawishiwi river to the public access on Lake One and the junction with CSAH 18, Lake county (Fernberg Road); thence along CSAH 18 to the former access point for Forest Trail (FT) 147 (Kekekabic Trail); thence northeasterly along ~~FT 147 to the portage between Strup and Kekekabic lakes; thence to Kekekabic lake and along the south shore of said lake and a swampy flowage to Grubstake lake; thence through Grubstake lake and north to Skoota lake; thence overland in a northerly direction to Knife lake and the Canadian border; the Kekekabic Trail to the Snowbank Trail junction; thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on the portage to Snowbank Lake; thence northerly along the shoreline of Snowbank Lake to the Boot Lake portage; thence easterly on said portage to Boot Lake; thence following the west shore of Boot Lake to the Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along the south shore of Ensign Lake to the Splash Lake portage; thence west on said portage to Splash Lake; thence along the south shore of Splash Lake to the Newfound Lake portage; thence along said portage to Newfound Lake; thence along the north shore of the bay (Newfound Lake) into Sucker Lake; thence along the southeast shoreline and north shoreline of Sucker Lake to the Canada-United States international boundary; thence along said boundary westerly to Prairie Portage; thence along said portage (United States side of falls) to Basswood Lake; thence westerly along the ~~Canadian border~~ United States-Canada international boundary to the point of beginning origin.~~

[For text of subps 24b to 29c, see M.R.]

Subp. 30. **Moose Zone 60.** Moose Zone 60 consists of that portion of the state lying within the following described boundary:

Beginning at McFarland Lake north of Hovland; thence in a westerly direction to Pine Lake; thence in a westerly direction through Pine Lake to the range line between Range 2 East and Range 3 East; thence in a southerly direction along said range line across land and the waters of Long Lake and Stump Lake to Fault Lake; thence in a westerly direction through all streams and swamps connecting Fault, Bronco, Shelf, Kiowa, Crocodile, and East Bearskin Lakes; thence northeasterly across East Bearskin Lake to the portage trail to Flour Lake; thence in a northerly direction across said portage trail to Flour Lake; thence along the eastern shore of Flour Lake to the stream to Moon Lake; thence along said stream to Moon Lake; thence along the western shore of Moon Lake to the northwest corner of Moon Lake; thence overland in a northwesterly direction approximately 1,000 feet to Deer Lake; thence in a northerly direction across Deer Lake to the portage trail to Caribou Lake; thence in a northerly direction along said portage trail to Caribou Lake; thence along the western shore of Caribou Lake to the portage trail to Clearwater Lake; thence in a westerly direction across the portage trail to Clearwater Lake; thence in a westerly direction through Clearwater Lake to the western end of the lake; thence overland in a westerly direction approximately 100 yards (crossing CSAH 66, Cook County) to an unnumbered road bed leading to Daniels Lake; thence in a westerly direction along said road bed to Daniels Lake; thence in a ~~northeasterly westerly~~ direction ~~through along the south shore of Daniels Lake to its outlet stream; thence in a northeasterly direction along said stream~~ the portage trail to West Bearskin Lake; thence in a southerly direction across said portage trail to West Bearskin Lake; thence in a westerly direction along the north

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shore of West Bearskin Lake to the portage trail to Duncan Lake; thence in a northwesterly direction across said portage trail to Duncan Lake; thence in a westerly direction along the south shore of Duncan Lake to a stream connecting to East Otter Lake; thence along said stream in a westerly direction to East Otter Lake; thence in a westerly direction through East Otter Lake and a stream to Hoat Lake; thence in a northwesterly direction through Hoat Lake to the stream to Mucker Lake; thence northeasterly through said stream to Mucker Lake; thence in a northerly direction across Mucker Lake to the outlet stream that drains into South Lake; thence in a southerly direction through said stream to South Lake; thence in a northerly direction to the United States-Canada international boundary; thence in an easterly direction along said boundary through South, Rat, Rose, Rove, Watap, Mountain, Fan, Lily, Moose, and North Fowl Lakes to Royal River; thence in a westerly direction along Royal River to John Lake; thence in a westerly direction along the south shore of John Lake to the outlet of Little John Lake; thence in a southerly direction through Little John Lake to McFarland Lake, the point of beginning.

[For text of subs 31 and 32, see M.R.]

Subp. 33. **Moose Zone 63.** Moose Zone 63 consists of that portion of the state lying within the following described boundary:

Beginning at the point where the Cook and Lake County boundaries meet the United States-Canada international boundary; thence in a southwesterly direction along the U.S.-Canada international boundary through Swamp; ~~and part of Cypress; and Knife Lakes to the section line between Sections 28 and 29 of Township 65 North, Range 7 West (T. 65N, R. 7W) in Knife Lake;~~ thence in a southerly direction along said section line to the shore of Knife lake; thence overland for approximately 0.6 miles in a southerly direction to Skoota Lake; thence in a southerly direction to the south shore of Skoota Lake; thence overland for approximately 0.1 miles in a southerly direction through Grubstake Lake; thence in an easterly direction through Grubstake Lake to its easternmost tip; thence in an easterly direction along a swampy flowage to Kekekabic Lake; thence in an easterly direction along the south shore of Kekekabic Lake to the stream to Strup Lake; thence in a southerly direction along said stream through Strup and Wisini Lakes to the southernmost tip of Wisini Lake; thence in a southerly direction across the portage trail to Ahmakose Lake; thence in a southwesterly direction through Ahmakose Lake and its outlet stream to Gerund Lake; thence in a southeasterly direction through Gerund Lake and its outlet stream to Fraser Lake; thence in an easterly direction through Fraser Lake to the portage trail to Sagus Lake; thence along said portage trail and along all streams through Sagus, Roe, and Cap Lakes to the eastern end of Cap Lake; thence overland for approximately 0.4 miles in a south southeasterly direction to Boulder Lake; thence in a southwesterly direction through Boulder Lake and along its outlet stream to Adams Lake; thence in a southerly direction to the southwest tip of Adams Lake; thence overland for approximately 0.25 miles in a southwesterly direction to Beaver Lake; thence in southwesterly and southeasterly directions through Beaver Lake to the stream entering Beaver Lake from the east near the southern tip of Beaver Lake; thence in an easterly direction along said stream to the unnamed lake approximately 0.1 miles to the east; thence in a southerly direction through said unnamed lake and the stream connecting it to Kawishiwi River; thence in a southerly direction along Kawishiwi River, through River Lake, to the unnamed flowage to the east in the Southeast Quarter of Section 14 of T. 63N, R. 7W; thence in an easterly direction along said unnamed flowage across Sections 14 and 13 of T. 63N, R. 7W, and part of Section 18 of T. 63N, R. 6W, to Record Lake; thence in a northeasterly direction through Record Lake to the Northeast corner of Record Lake; thence overland for approximately 1200 feet in a northeasterly direction to Malberg Lake; thence in a northwesterly direction through Malberg Lake to the portage trail in the northwest corner of Malberg Lake leading to Kawishiwi River; thence in a northwesterly direction along said portage to Kawishiwi River; thence in a northeasterly direction along Kawishiwi River through Kivaniva, Kivandeba, and John Ek Lakes to the south end of John Ek Lake; thence overland for approximately 100 feet in an easterly direction to an unnamed flowage; thence in an easterly direction along said unnamed flowage across the South Half of the South Half of Section 31 of T. 64N, R. 5W, to an unnamed lake in the Northeast Quarter of the Northeast Quarter of said Section 31 of T. 64N, R. 5W; thence overland for approximately 600 feet in a southeasterly direction to an unnamed pond in the Southwest Quarter of the Northwest Quarter of Section 32 of T. 64N, R. 5W; thence overland for approximately 0.3 miles in an easterly direction to an unnamed flowage leading to Teat Lake; thence in an easterly direction along said unnamed flowage through Teat and Lawless Lakes to the eastern end of Lawless Lake; thence overland and all waters for approximately 0.8 miles in a southeasterly direction to Mesaba Lake; thence in a northeasterly direction through Mesaba Lake to an unnamed stream to Hub Lake; thence in a northerly direction along said unnamed stream to Hub Lake; thence along the east and south shores of Hub Lake to the stream leading to Chuck Lake; thence in an easterly direction along said stream, through Chuck and Florence Lakes to the northeast tip of Florence Lake; thence overland for approximately 100 feet in a northeasterly direction to Caper Lake; thence in a northerly direction through Caper Lake and along the unnamed flowage to the north to Frost River; thence in a northwesterly direction along Frost River, and all streams, through Afton, Fente, Whipped, and Time Lakes to the Gijikiki Lake portage in Section 32 of Township 66 North, Range 6 West; thence south along said portage to Gijikiki Lake; thence south along the west shore of said lake to the portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on Rivalry Lake to the portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to the Lunar Lake portage; thence along the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along the shore of

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Cherry Lake to the Hanson Lake portage; thence south along the west shoreline of Hanson Lake to the portage to the South Arm of Knife Lake; thence south on said portage to the South Arm of Knife Lake; thence along the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; thence along said portage south to Eddy Lake; thence along the north shore of Eddy Lake southeasterly to the Jenny Lake portage; thence along said portage south to Jenny Lake; thence along the west and south shorelines of Jenny Lake to the Annie Lake portage; thence along said portage south to Annie Lake; thence along the north shore of Annie Lake to the Ogishkemuncie portage; thence along the south shoreline of Ogishkemuncie Lake; thence along the south shoreline of Ogishkemuncie Lake to the Mueller Lake portage; thence along said portage southeast to Mueller Lake; thence along the north shore of Mueller Lake to the east end of the lake then proceed west along the south shore a very short distance to the Agamok portage; thence along said portage south to Agamok Lake; thence along the north and east shorelines of said lake to the portage to Gabimichigami Lake; thence along said portage south to Gabimichigami Lake; thence along the west and south shorelines of said lake to the Rattle Lake portage; thence along said portage south to Rattle Lake; thence along said portage south to Little Saganaga Lake; thence along the west and south shorelines of Little Saganaga Lake to the portage to Mora Lake; thence along the southern and eastern shores of Mora Lake to the stream to Tarry Lake; thence in a northerly direction along said stream to Tarry Lake; thence along the eastern shore of Tarry Lake to the stream to Crooked Lake; thence in a northerly direction along said stream to Crooked Lake; thence along the eastern shore of Crooked Lake to the stream to Gillis Lake; thence in a northwesterly direction along said stream to Gillis Lake; thence along the southern and eastern shores of Gillis Lake to the portage trail to Bat Lake; thence in a northerly direction along said portage trail to Bat Lake; thence in a northeasterly direction, and along all portage trails, through Bat and Green Lakes to Flying Lake; thence in a northerly direction, and along all streams, through Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West; thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said unnamed lake and along all streams and ponds to the north shore of an unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18 of Township 65 North, Range 4 West; thence overland for approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the southeastern shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along the Sea Gull River to Saganaga Lake; thence along the east shore of Saganaga Lake to Saganaga Falls in Section 4 of Township 66 North, Range 4 West; thence easterly to the United States-Canada international boundary; thence in a southwesterly direction along the international boundary through Saganaga and Swamp Lakes to the point of beginning.

Subp. 33a. **Moose Zone 64.** Moose Zone 64 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of Forest Trail (FT) 147 (Kekekabic Trail) and the Snowbank Trail (just south of Parent Lake); thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on the portage to Snowbank Lake; thence northerly along the shoreline of Snowbank Lake to the Boot Lake portage; thence easterly on said portage to Boot Lake; thence following the west shore of Boot Lake to the Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along the south shore of Ensign Lake to the Splash Lake portage; thence west on said portage to Splash Lake; thence along the south shore of Splash Lake to the Newfound Lake portage; thence along said portage to Newfound Lake; thence along the north shore of the bay (Newfound Lake) into Sucker Lake; thence along the southeast shoreline and north shoreline of Sucker Lake to the United States-Canada international boundary; thence along said boundary westerly to Prairie Portage; thence along the United States-Canada international boundary in a northeasterly direction to the Gijikiki Lake portage on Cypress Lake; thence south along said portage to Gijikiki Lake; thence south along the west shore of said lake to the portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on the south shore of Rivalry Lake to the portage to Lake of the Clouds; thence east on said portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to the Lunar Lake portage; thence along the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along the shore of Cherry Lake to the Hanson Lake portage; thence east across said portage to Hanson Lake; thence south along the west shoreline of Hanson Lake to the portage to the South Arm of Knife Lake; thence south on said portage to the South Arm of Knife Lake; thence along the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; thence along said portage south to Eddy Lake; thence along the north shore of Eddy Lake southeasterly to the Jenny Lake portage; thence along said portage south to Jenny Lake; thence along the west and south shorelines of Jenny Lake to the Annie Lake portage; thence along the north shore of Annie Lake to the Ogishkemuncie portage; thence along the south shoreline of Ogishkemuncie Lake to the Mueller Lake portage; thence along said portage southeast to Mueller Lake; thence along the north shore of Mueller Lake to the east end of the lake then proceed west along the south shore a very short distance to the Agamok portage; thence along

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said portage south to Agamok Lake; thence along the north and east shorelines of said lake to the portage to Gabimichigami Lake; thence along said portage south to Gabimichigami Lake; thence along the west and south shorelines of said lake to the Rattle Lake portage; thence along said portage south to Rattle Lake; thence along the northwest and south shorelines of Rattle Lake to the portage to Little Saganaga Lake; thence along said portage south to Little Saganaga Lake; thence along the west and south shorelines of Little Saganaga Lake to the portage to Mora Lake; thence along said portage to Mora Lake; thence southeasterly along the west shore of Mora Lake to the drainage to Time Lake; thence in a southeasterly direction along all streams and portages through Time, Whipped, Fente, and Afton Lakes to the Frost River; thence southeast on the Frost River approximately 1/4 mile; thence southwest overland approximately 1/8 mile to a chain of small lakes; thence along said small lakes south to Caper Lake; thence overland in a southwesterly direction to Florence Lake; thence south on the west shoreline of Florence Lake to the drainage into Chuck Lake; thence along the south shoreline of Chuck Lake; thence along the south shore of all drainages in a northwesterly direction to Hub Lake; thence along the south shoreline of Hub Lake to the Mesaba Lake portage; thence along said portage south to Mesaba Lake; thence along the west and north shorelines of Mesaba Lake to the Chaser Lake portage; thence northwest over land and all waters for approximately 0.8 of a mile to the eastern side of Lawless Lake; thence northwesterly and westerly along the north shore of said lake to Teat Lake; thence westerly along the north shore of Teat Lake to an unnamed flowage; thence westerly on said flowage for approximately 0.3 miles; thence northwesterly overland approximately 1/4 mile to an unnamed pond in the Northwest Quarter of Section 32 of Township 64 North, Range 5 West; thence northwesterly approximately 700 feet overland to an unnamed lake in the Northeast Quarter of Section 31 of Township 64 North, Range 5 West; thence westerly following an unnamed drainage to another unnamed drainage; thence southerly along said drainage to where drainage turns sharply to west; thence westerly along said drainage across the South Half of the North Half of Section 31 of Township 64 North, Range 5 West; thence continuing westerly to the source of the drainage (small pond) in Section 36 of Township 64 North, Range 6 West; thence westerly overland approximately 100 feet to the south end of John Ek Lake; thence through John Ek Lake in a north and westerly bearing along the west and south shorelines to the drainage to Kivandeba Lake; thence west on said drainage to Kivandeba Lake; thence southwest through Kivandeba Lake along the southeast shore to the drainage to Kivaniva Lake; thence south and west on said drainage to Kivaniva Lake; thence south a short distance on the east shore of said lake to the Kawishiwi River portage; thence south on said portage to Kawishiwi River; thence southwesterly along the south shore of the Kawishiwi River to the portage to Kawishiwi River in the Southeast Quarter of the Southeast Quarter of Section 6 of Township 63 North, Range 6 West; thence south on said portage; thence southwesterly along the south shore of the Kawishiwi River; thence south into the bay in the Northwest Quarter of Section 7 of Township 63 North, Range 6 West; thence south along the drainage to Record Lake; thence southwest on the west shore of Record Lake to the unnamed drainage in the middle of Section 18 of Township 63 North, Range 6 West; thence west on said drainage following the south shore of all unnamed lakes, drainages, and lowlands through part of Section 18 of Township 63 North, Range 6 West, all of Section 13 of Township 63 North, Range 7 West, and part of Section 14 of Township 63 North, Range 7 West into River Lake; thence southwest on River Lake (west shore) to the portage in the northwest corner of the lake; thence southwest along said portage to the Kawishiwi River; thence southwesterly along the northwest shore to the portage to Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence southwest along said portage to Kawishiwi River; thence west and northwest along the south shore of Kawishiwi River including two short portages and a small segment of the south shore of Alice Lake to Insula Lake; thence along the north shore of Insula Lake in a westerly then northerly direction (east shore) to the portage to Kiana Lake; thence north on said portage to Kiana Lake; thence north along the east shore of Kiana Lake to the portage to Thomas Lake; thence north on said portage to Thomas Lake; thence north along the west shore of Thomas Lake to the portage to an unnamed lake in Section 29 of Township 64 North, Range 7 West; thence northwest on said portage to the unnamed lake; thence northwest across the middle of the unnamed lake to the portage to Hatchet Lake drainage; thence across said portage to the intersection of the portage and the Kekekabic Trail (Forest Trail 147); thence southwesterly along said trail to the point of origin.

[For text of subs 34 to 37, see M.R.]

Subp. 38. **Moose Zone 74.** Moose Zone 74 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State-Aid Highway (CSAH) 12, Cook County, and Forest Road 146; thence in a northerly direction along CSAH 12 to the stream connecting Road Lake to Poplar Lake; thence in a westerly direction along said stream to Poplar Lake; thence in a westerly direction along the southern and western shores of Poplar Lake to the stream to Skipper Lake; thence in a westerly direction along said stream and other streams or swamps through Skipper, Little Rush, Rush, Banadad, Sebeka, Ross, Seal, George, Lower George, Rib, Cross Bay, and Snipe Lakes to the northwest corner of Snipe Lake; thence overland approximately 0.4 miles in a northwesterly direction to the northeast corner of Missing Link Lake; thence in a westerly direction along the northern shore of Missing Link Lake to the portage to Round Lake; thence in a northeasterly direction along said portage to Round Lake; thence in a northwesterly direction along the southwest shore of Round Lake to the flowage to West Round Lake; thence in a westerly direction across said flowage, along all streams, and through West Round, Edith, Brant, then in a northerly direction through Gotter, Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp

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flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West (T. 65N, R. 4W); thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said unnamed lake and along all streams and ponds to the north shore of the unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18, T. 65N, R. 4W; thence overland for approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the south shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along Sea Gull River to Saganaga Lake; thence along the east shore of Saganaga Lake to Saganaga Falls in section 4 of Township 66 North, Range 4 West; thence in an easterly direction to the United States-Canada international boundary; thence in easterly and southerly directions along the international boundary through Saganaga, Maraboeuf, Gneiss, Granite, Clove, Magnetic, Gunflint, Little Gunflint, North, and South, ~~Rat, and Rose~~ Lakes to the ~~east end of Rose~~ point in South Lake north of the stream connecting to Mucker Lake; thence south to said stream; thence in a southerly direction through said stream to Mucker Lake; thence in a southerly direction across Mucker Lake to the stream connecting to Hoat Lake; thence in a southerly direction through said stream to Hoat Lake; thence southeasterly across Hoat Lake to a swamp and stream connecting to East Otter Lake; thence in an easterly direction through said swamp and stream to East Otter Lake; thence in an easterly direction across East Otter Lake to a stream connecting to Duncan Lake; thence in an easterly direction through said stream to Duncan Lake; thence in an easterly direction along the south shore of Duncan Lake to the portage to West Bearskin Lake; thence in a southeasterly direction ~~along the stream leading~~ across said portage to West Bearskin Lake; thence in an easterly direction along the north shore of West Bearskin Lake to the portage to Daniels Lake; thence in a ~~southwesterly~~ northerly direction across said portage to Daniels Lake; thence in an easterly direction ~~through~~ along the south shore of Daniels Lake to an unnumbered road bed in the Northwest Quarter of the Northwest Quarter of Section 35, T. 65N, R. 1W; thence in an easterly direction along said unnumbered road bed to CSAH 66, Cook County; thence overland in an easterly direction across CSAH 66, Cook County, for approximately 100 yards to Clearwater Lake; thence in an easterly direction through Clearwater Lake to the portage to Caribou Lake; thence along the southwest shore of Caribou Lake to the portage to Deer Lake; thence in a southerly direction along said portage to Deer Lake; thence in a southwesterly direction to the south shore of Deer Lake; thence in a southeasterly direction overland approximately 1,000 feet to Moon Lake; thence along the western shore of Moon Lake to the stream to Flour Lake; thence in a westerly direction along said stream to Flour Lake; thence along the eastern shore of Flour Lake to the portage trail to East Bearskin Lake; thence in a southerly direction along said portage to East Bearskin Lake; thence in a westerly direction through East Bearskin Lake to the public access and Forest Road 146; thence along Forest Road 146 to the point of beginning.

[For text of subps 39 to 44, see M.R.]

REPEALER. Minnesota Rules, part 6232.1100, subpart 5, is repealed.

EFFECTIVE PERIOD. The emergency amendments to Minnesota Rules, parts 6232.0900, 6232.1000, 6232.2900, 6232.3600, and 6232.4100, and the repealer expire December 31, 2003. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule. Minnesota Rules, part 6232.2550, expires December 31, 2003.

Appointments

Minnesota Statutes, Section 15.06, Subd. 5 requires a notice of the designation of a commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the State Register.

Department of Education

Notice of Appointment of Commissioner Cheri Pierson Yecke

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Cheri Pierson Yecke to the office of Commissioner of the Minnesota Department of Education effective July 1, 2003. Her department has been renamed from the old Department of Children, Families and Learning.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Children, Families and Learning are:

Minnesota Statutes, Chapters 120-129, 134

Minnesota Rules 3500-3799

Commissioner Yecke resides at 2106 Arnold Plamer Drive, Blaine, Minnesota 55449, Anoka County, Congressional District Six. She can be reached at the Minnesota Department of Education, 1500 Highway 36 West Roseville, MN 55113-4266. Telephone (651) 582-8204. Internet home page: <http://education.state.mn.us>

Official Notices

Pursuant to Minnesota Statutes § 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Employment and Economic Development

Request for Comments on Globalization and the Minnesota Economy

The Department of Employment and Economic Development promotes and facilitates job creation in Minnesota through a variety of programs, including those focusing on trade, foreign direct investment and business expansion in Minnesota.

The department is seeking comments from interested and affected parties on the impacts of globalization on the Minnesota economy. Comments should address economic and job impacts incurred in Minnesota through trade, foreign direct investment and business expansion inside and outside the state and may encompass impacts occurring as a result of the North American Free Trade Agreement and the proposed Free Trade Areas of the Americas agreement including:

- a) number and industry of jobs gained or lost in Minnesota
- b) public subsidies for economic development purposes
- c) treatment of foreign investors compared to domestic investors
- d) housing subsidies
- e) state or local law-making authority
- f) economic development promotion in Minnesota

The department will use comments to aid other analyses in an ongoing effort to improve program performance.

Response Format

No specific form of written or oral response is required; however, to facilitate understanding and analysis of responses, respondents are asked to:

Describe their organization, company and/or industry.

Describe the specific impacts

Quantify the impact in jobs and/or dollar terms if possible.

If applicable, reference the specific agreement NAFTA or FTAA section.

All respondents should include their actual name and U.S. mailing address. Persons responding on behalf of corporate or other legal entities should identify both the entity's name and address and their own name and position.

Response Method

Written comments by mail, fax, or other methods of delivery should be addressed to Bob Isaacson, Director - Analysis and Evaluation Office, Minnesota Department of Employment and Economic Development, 500 Metro Square, 121 7th Place East, St. Paul, Minnesota 55101-2146, FAX (651) 215-3841.

Written comments by e-mail are also welcome. The department has established a dedicated electronic mailbox for receipt of comments at: globalization.mn@state.mn.us. Comments received electronically will be available for viewing at the department's **web site** at www.dted.state.mn.us (click on News and Information). All comments received will be public information under the Minnesota Data Practices Act (*Minnesota Statutes* Chapter 13).

Comments must be received by 5:00 p.m. August 1, 2003.

Minnesota Department of Health**Notice of Application for Essential Community Provider Status**

Pursuant to *Laws of Minnesota 2003, First Special Session*, Chapter 14, the Native American Community Clinic in Hennepin County has applied to the Commissioner of Health for designation as an Essential Community Provider under *Minnesota Statutes* section 62Q.19.

Written comments on the application will be accepted up to 30 days following the publication of this notice.

Comments should be sent to:

Sandra Gale
Minnesota Department of Health, Health Policy & Systems Compliance Division
P.O. Box 64975, St. Paul, MN 55164-0975
Email: sandy.gale@health.state.mn.us

Department of Labor and Industry**Labor Standards****Notice of Correction to Commercial Prevailing Wage Rates**

A correction has been made to the Commercial Prevailing Wage Rates certified 12/30/02, for:

Labor Code 407, Electricians in Martin County.

Copies with the correction of the certified wage rates for this County may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, by calling (651) 284-5091, or accessing our web site at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener
Comissioner

Department of Transportation**State Aid for Local Transportation Division****Requests for Variance from Rules for City of East Bethel, City of Mound, City of St. Paul, and City of Chanhassen****1. Petition of the City of East Bethel for a Variance from State Aid Procedural and Administrative Requirements**

Notice is Hereby Given that the City of East Bethel Council has made written request to the Commissioner of Transportation Pursuant to *Minnesota Rules* 8820.2800 Subpart 2, for a variance from rules as they apply to the construction bids for the street improvements from Viking Boulevard to Sims Road NE along Jackson Street NE, 197th Avenue NE and Polk Street NE (SAP 203-101-06); and Klondike Drive NE from Polk Street NE to Trunk Highway 65 (SAP 203-103-02), in the City of East Bethel, Minnesota.

The request is for variance from *Minnesota Rules* for State Aid Operation 8820.2800, Subpart 2, adopted pursuant to *Minnesota Statutes* chapter 161 and 162, as they apply to the proposed improvement projects, SAP 203-101-06 and 203-103-02, to allow the approval of construction plans after bids are opened for Project SAP 203-101-06 and 203-103-02, in lieu of required approval by the State Aid Engineer prior to the opening of contract bids.

Official Notices

2. Petition of the City of Mound for a Variance from State Aid Procedural and Administrative Requirements

Notice is Hereby Given that the City of Mound Council has made written request to the Commissioner of Transportation Pursuant to *Minnesota Rules* 8820.2800 Subpart 2, for a variance from rules as they apply to the proposed project SAP 145-108-05, in the City of Mound, Minnesota.

The request is for variance from *Minnesota Rules* for State Aid Operation 8820.2800, Subpart 2, adopted pursuant to *Minnesota Statutes* chapter 161 and 162, as they apply to the proposed project SAP 145-108-005, to allow the approval of construction plans after bids are opened, in lieu of required approval by the State Aid Engineer prior to the opening of contract bids.

3. Petition of the City of Saint Paul Park for a Variance from State Aid Procedural and Administrative Requirements

Notice is Hereby Given that the City of Saint Paul Park Council has made written request to the Commissioner of Transportation Pursuant to *Minnesota Rules* 8820.2800 Subpart 2, for a variance from rules as they apply to the proposed projects SAP 184-105-05 and 184-106-03, in the City of St. Paul Park, Minnesota.

The request is for variance from *Minnesota Rules* for State Aid Operation 8820.2800, Subpart 2, adopted pursuant to *Minnesota Statutes* chapter 161 and 162, as they apply to the proposed projects SAP 184-105-05 and 184-106-03, to allow the approval of construction plans after bids are opened, in lieu of required approval by the State Aid Engineer prior to the opening of contract bids.

4. Petition of the City of Chanhassen for a Variance from State Aid Procedural and Administrative Requirements

Notice is Hereby Given that the City of Chanhassen Council has made written request to the Commissioner of Transportation Pursuant to *Minnesota Rules* 8820.2800 Subpart 2, for a variance from rules as they apply to the proposed project SAP 194-118-02, in the City of Chanhassen, Minnesota.

The request is for variance from *Minnesota Rules* for State Aid Operation 8820.2800, Subpart 2, adopted pursuant to *Minnesota Statutes* chapter 161 and 162, as they apply to the proposed project SAP 194-118-02, to allow the approval of construction plans after bids are opened, in lieu of required approval by the State Aid Engineer prior to the opening of contract bids.

If a written objection is received within 20 days of published date of this notice in the *State Register*, the variance can granted only after a contested case hearing case has been held in the request.

Dated: July 7, 2003

Julie A. Skallman
State Aid Engineer
State Aid for Local Transportation

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Health

Environmental Health Division

Request for Proposals for Indoor Radon Grant

The Minnesota Department of Health (MDH) has obtained a grant from the U.S. Environmental Protection Agency (EPA) to work on radon related activities. MDH has the option to distribute some of these monies to local partners through grant contracts. MDH intends to award grants up to a total of \$372,000 for radon-related projects. Grants will be awarded in amounts ranging from \$2,500 to \$30,000. Grants for projects which serve the entire state or serve as the fiscal agent for more than one county may be awarded up to an additional \$10,000.

Applicants must request application packets by contacting Earnest E. Tate at the address below. The application packet includes a description of application requirements, forms, and checklists. Previous applicants are reminded that each new application must be complete and stand on its own merits.

Key Dates

Proposals must be postmarked by September 1, 2003, or hand delivered or faxed no later than 4:30 p.m. on September 1, 2003. Contracts will be executed by October 1, 2003.

State Grants & Loans

All grant expenditures must be made and all grant related activities must be completed by September 30, 2004.

State Indoor Radon Grants

Proposals will be accepted for the following:

- Promoting radon-resistant new construction;
- Encouraging testing and mitigation in conjunction with real estate transactions;
- Planning and/or promotion of school testing and mitigation, where necessary;
- Promoting and/or developing local indoor air coalitions; or
- Working in under-served areas of the state.*

*For the purposes of this grant contract process, an under-served area of the state is defined as a county with a population of less than 100,000 according to Census 2000, **OR** a municipality or county which has been served not more than twice within the last 5 years by grantees funded by SIRG monies. Census data is available at <http://www.mnplan.state.mn.us/demography/Cen2000redistricting/Cen00ctypopr.html>.

In order to fund projects, MDH is required to provide a 50/50 match. One dollar of non-federal money is required for each dollar the EPA gives Minnesota organizations. MDH will contribute a minimum of \$2,500 toward each successful applicants matching funds. Applicants must demonstrate that they can provide the remainder of the required match. For example, an applicant for a \$15,000 grant would be required to provide \$12,500 in matching funds.

Eligible Applicants

Applicants eligible for this funding include county and city governments, boards of health, universities and colleges, and non-profit organizations.

Eligible Costs

Personnel	Equipment
Fringe Benefits	Supplies
In-State Travel	Contracts
Out-of-State Travel	

Contact Person:

Earnest E. Tate
Indoor Air Program
Environmental Health
121 East Seventh Place, Suite 220
PO Box 64975
St. Paul, Minnesota 55164-0975
Phone: (651) 215-0912
FAX: (651) 215-0975
e-mail: earnest.tate@health.state.mn.us

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Colleges and Universities, Minnesota State (MnSCU)

Southwest State Universities

Advertisement for Sealed Bids for Phase 3 - Student Center Complex, Southwest State University, Marshall, MN 56258

Jeff Kulper will receive bids at Southwest State University, 1501 State Street, Individualized Learning Building, Room 139, Marshall, MN 56258 until **2:00 p.m., 5 August 2003 for Material Purchases (MP Packages) and 2:00 p.m., 12 August 2003 for construction (CP Packages)** at which time the bids will be opened and publicly read aloud.

Project Scope: Student Center West building includes new mechanical and electrical, interior finishes and a new curtainwall facade; Student Center Building includes new exterior walls, adding a second level, new mechanical and electrical, new finishes and new curtainwall.

A pre-bid meeting will held at **10:30 a.m., Tuesday 29 July 2003**, on the **Student Center Complex Site, Southwest Minnesota State University**. The Architect/Engineer and Owner Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bid Forms, Contract Documents, Drawings and Specification as prepared by the Project Architect/Engineering, Horty Elving & Associates / Zuber Baker Architects, are on file at the offices of the:

- 1.) above named Project Architect/Engineer.
- 2.) following Builders Exchanges: Mankato / Sioux Falls
- 3.) Construction Market Data Plan Room.
- 4.) Dodge Plan Room.
- 5.) National Association of Minority Contractors of Upper Midwest

Bid Documents will be available on 14 July 2003. Complete sets of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

CPMI
2850 Metro Drive, Suite 329
Bloomington, MN 55425
(952) 854-3663

A refundable deposit of \$200.00 per set is required. Make checks payable to CPMI. Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to CPMI) for \$15.00 per set for shipping and handling to CPMI. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota Colleges and Universities**, in the sum of not less than five (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

Department of Health

Notice of Availability of Contract for Tritium, Oxygen-18 and Deuterium Analysis of Water Samples

The Minnesota Department of Health is requesting proposals for the purpose of providing analysis of water samples for tritium (enriched), oxygen-18 and deuterium. The MDH has an ongoing need for these analyses in order to determine the vulnerability of public water supply wells to contamination. This information is then used to establish monitoring frequencies for these wells, rank them for phasing into the state's wellhead protection program and determine appropriate wellhead protection measures.

State Contracts

The outcome of the proposed work will be analytical results for tritium, oxygen-18 and deuterium and quality assurance/quality control documentation. The minimum reporting level for enriched tritium must be no greater than 0.8 TU, and an ultra low-level enriched tritium option must be available that has a minimum reporting level of no greater than 0.1 TU. The minimum reporting level for oxygen-18 must be no greater than 0.2 per mil, and the minimum reporting level for deuterium must be no greater than 1 per mil.

Work is proposed to start after September 1, 2003.

A Request for Proposals will be available by mail from this office through July 18, 2003. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 18, 2003, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Bruce Olsen, Supervisor
Minnesota Department of Health
Source Water Protection Unit
121 East Seventh Place
P.O. Box 64975
St. Paul, MN 55164-0975
Telephone: (651) 215-0796
Fax: (651) 215-0775
E-mail: bruce.olsen@health.state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 pm, Central Time, July 30, 2003. **Late proposals will not be considered.** Fax or e-mailed proposals will not be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Housing Finance Agency

Request for Proposal to Format, Proof, Print and Compile its 2003 Financial Report

The Minnesota Housing Finance Agency (MHFA) is seeking a contractor to format, proofread, print and compile its annual Financial Report for 2003. The goal is to produce an accurate, professional 2003 Financial Report, both in hard copies and in stated electronic formats.

The MHFA will provide the annual report information by electronic Excel and Word files to the contractor no later than the first week of September. Contractor will format the text, charts, spreadsheets and other information provided according to the Report's standardized style shown by a sample of the 2002 Report available with the RFP or at the MHFA offices. Contractor will proofread the information and provide proofs and corrected proofs to MHFA as needed, until MHFA gives final approval of proof. Contractor will timely print, compile and bind (staple) the Report with cover. Contractor will deliver 350 hard copies of the reports to MHFA by September 15, 2003 and, on the same day, also deliver to MHFA electronically a PDF file and a Word file of the finished Report. NOTE: Proofs and updated proofs with corrections must be exchanged with MHFA electronically.

Proposals in response to the RFP are due **August 1, 2003 by 4:00 P.M.** Central Time.

Contact Information: To receive a copy of the RFP and sample 2002 Report, contact Camille Creamer at Minnesota Housing Finance Agency (**phone**) (651) 296-2602, (**fax**) 651-296-7974, (**e-mail**) Camille.Creamer@state.mn.us.

Department of Transportation

Program Support Group

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using

State Contracts

this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's web site at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento
Pre-Qualification Administrator
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services website at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) Technical Assistance in Development of a Hiawatha Light Rail Transit Operations RFP

Contract 03P069

The Hiawatha Light Rail Line (Hiawatha LRT) is currently under construction in the Minneapolis-St. Paul Metropolitan Area and is scheduled to commence revenue service in April 2004. After completion of construction, the Metropolitan Council (Council) will be responsible for operation of the Hiawatha LRT. The Council has been directed by the Legislature to prepare a Request for Proposals (RFP) to operate in whole or in part the Hiawatha LRT. The Council will be assisted in this process by the Minnesota Department of Administration and Department of Finance, and Hennepin County. In this RFP, the Council is requesting proposals for assistance in developing the legislatively required RFP. The assistance will include identifying the appropriate operations to be included, identifying contractor expertise which would be needed to carry out such operations, identifying potential vendors and methods of advertising for the services, developing a Scope of Work for the project, assisting in the evaluation process, and assisting in contract negotiation, if necessary. The Legislature indicated that the vendor must be selected, if at all, not later than December 1, 2003. Therefore, there is a very short time line for proposers to respond to this RFP.

Non-State Contracts & Grants

A tentative schedule for this project is as follows:

<i>Issue Request for Proposals</i>	July 14, 2003
<i>Receive Proposals</i>	July 21, 2003
<i>Complete Evaluations and Select Vendor</i>	July 25, 2003
<i>Consultant Under Contract; Notice to Proceed Issued</i>	July 30, 2003

All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a written request for the RFP to:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 E. Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
E-mail: amanda.houston@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals for CSAH 81 Relocation of Elm Creek Interceptor

RFP No. 03P066

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from professional engineering firms to provide a Step 2 Design and Step III Construction Support Services for CSAH 81 Relocation of Elm Creek Interceptor. The Council owns, operates and provides wastewater treatment services to the seven-county Twin Cities Metro Region.

The Council is seeking proposals for the relocation of approximately 7,400 feet of 30-inch and 48-inch sanitary sewer in the Maple Grove, MN area. The Work will include project administration, quality control, cost estimates, public involvement, permit and regulatory support, ground control survey, digital mapping, utility and survey data collection, land surveys and easement description preparation, and preparation of construction contract documents in cooperation with the Minnesota Department of Transportation.

The **tentative** schedule for this process is:

<i>RFP Issue date</i>	Mid-July 2003
<i>Proposals Due</i>	August 8, 2003
<i>Consultant Selection</i>	August 15, 2003
<i>Contract Award</i>	August 27, 2003
<i>Notice to Proceed</i>	September 2003
<i>50% Design Review</i>	November 2003
<i>100% Design Review</i>	January 2004
<i>Bid Date</i>	Set by MnDOT
<i>Construction Notice to Proceed</i>	Set by MnDOT
<i>Substantial Completion</i>	Set by MnDOT
<i>Final Completion</i>	Set by MnDOT

All firms interested in this project should submit a written request for a copy of the RFP through:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Meats Park Centre
230 E. Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585 / **Fax:** (651) 602-1138 / **E-mail:** amanda.houston@metc.state.mn.us

Please provide the name of **one** contact person; complete company name; address / city / state / zip along with phone / fax / cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List. **All other inquiries** regarding this procurement shall be directed by e-mail to Hugh McConnell at: hugh.mcconnell@metc.state.mn.us. Any other contact with Council employees on this matter throughout the entire solicitation process risks vendor disqualification.

State Contracts

Metro Transit

Invitation for Bids for Supply and Install Chain-Link Fencing

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for the supply and installation of chain-link fencing at various locations along the Hiawatha Light Rail Transit Corridor.

A Pre-Bid Meeting will be held at the Hiawatha Operations and Maintenance Facility, 1810 E. Franklin Ave., Minneapolis, MN at 10:00 a.m. on July 23, 2003.

Sealed bids are due by 2:00 p.m. on August 5, 2003.

Bids must be submitted in accordance with the Invitation for Bids Document available.

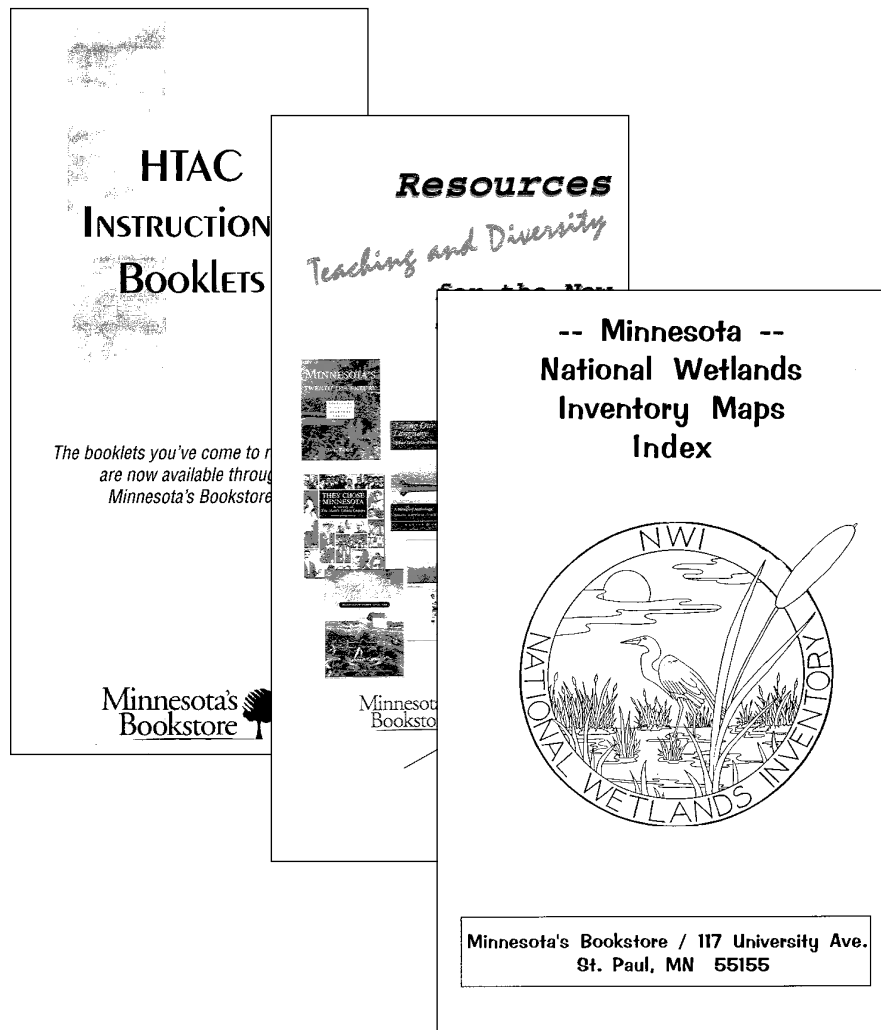
Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
(612) 349-5070

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

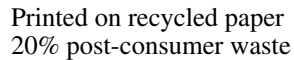


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